

THE REMARKS

The Amendment

Claim 1 has been amended to recite that the filled display cells is sealed with a polymeric sealing layer which is formed from a sealing composition having a specific gravity lower than that of said electrophoretic fluids. The amended Claim 1 is a combination of the previous Claims 1, 2 and 47.

New Claim 50 is a combination of the previous Claims 1, 2 and 49.

No new matter is introduced in the amendments.

Status of the Claims

Prior to entering the current amendments, Claims 1-49 are pending, and Claims 28-46 are allowed.

Request to Withdraw Finality

The Examiner has cited two new references USPN 6,727,873 and 6,882,463, which were not cited in any of the previous Office Actions. Based on the newly cited references, the Examiner has made two new grounds of rejection. Applicants have not had a chance to amend the claims in response to the new grounds of rejection. Therefore, the Examiner is requested to withdraw the finality of this Office Action and enter the claim amendment.

35 USC §102(e) Rejection

Claims 1-4, 6, 7, 15, and 17-24 are rejected under 35 USC §102(e) as allegedly being anticipated by Gordon II et al (Gordon). Claim 2 is canceled. The rejection of the remaining claims is overcome in view of the claim amendment.

It is noted that the patent number referred to for Gordon in the Office Action is incorrect. The correct number, according to PTO-892 attached to the Office Action, is 6,727,873.

In order to expedite allowance of the present application, Applicants have amended Claim 1 to recite that the filled display cells are sealed with a polymeric

sealing layer which is formed from a sealing composition having a specific gravity lower than said electrophoretic fluids. Such sealing layer is not disclosed in Gordon. Claim 1 is essentially the same as old dependent Claim 47, which the Examiner has found allowable.

In the Office Action, the Examiner states that Gordon discloses (refer to figure 1) wherein filled display cells are sealed with a polymeric sealing layer (2a) (column 7, lines 1-12). Applicants respectfully disagree with the Examiner. Gordon does not disclose a sealing layer or a polymeric sealing layer for sealing the display cells. The (2a) that the Examiner refers to is a front light-transmissive window (see column 7, line 1), not a polymeric sealing layer, let alone a polymeric sealing layer formed from a sealing composition having a specific gravity lower than that of the electrophoretic fluids (Claim 1).

Accordingly, the 102 (e) rejection of Claim 1 and its dependent claims 3, 4, 6, 7, 15 and 17-24 should be withdrawn.

35 USC §103 Rejection

Claims 5, 9 and 10 are rejected under 35 USC §103(a) as allegedly being unpatentable over Gordon II et al (6,727,873) in view of Motoi et al (6,882,463).

As disclosed above, Gordon (6,727,873) does not teach or suggest a sealing layer which is formed from a sealing composition having a specific gravity lower than that of the electrophoretic fluids. The addition of Motoi does not cure the deficiency. Accordingly, the §103(a) rejection of Claims 5, 9, and 10 should be withdrawn.

Claims 20 and 21 are rejected under 35 USC §103(a) as allegedly being unpatentable over Gordon II et al (6,727,873) in view of Gordon II et al (5,745,094).

As disclosed above, Gordon (6,727,873) does not teach or suggest a sealing layer which is formed from a sealing composition having a specific gravity lower than that of the electrophoretic fluids. The addition of Gordon II et al (5,745,094) does not cure the deficiency. Accordingly, the §103(a) rejection of Claims 20 and 21 should be withdrawn.

Claim Objection

The Examiner states that Claims 8, 11-14, 16, 25-28 and 47-49 are objected to as being dependent upon a rejected base claims, but otherwise allowable.

The Examiner has found Claim 25 allowable, but mistakenly identified Claim 25 as a dependent claim (of Claim 1) and objected to the claim. Therefore, Claims 25-27 should be allowable. In fact, Claim 25 and its dependent Claims 26 and 27 are directed to an electromagnetophoretic display, which is not disclosed in any of the references cited.

Claim 28 is allowed according to the allowable subjected matter in Office Action. Therefore, the objection to Claim 28 appears to be an error.

New Independent Claim 50

New independent Claim 50 has the same scope of the allowable Claim 49, and should be allowed.

CONCLUSION

Applicants believe that the application is now in good and proper condition for allowance. Early notification of allowance is earnestly solicited.

Respectfully submitted,

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